

**Sec. 49-248. Conservation plans upon establishment of service to new nonresidential customers.**

(a) As a condition for the establishment of service, all new nonresidential customers with an estimated annual water demand of ten (10) acre-feet or more, other than users supplied water incidental to construction work, shall submit a conservation plan identifying the anticipated types of water uses and demonstrating the use of the latest commercially available conservation technologies for both interior and exterior water uses consistent with reasonable economic return.

(b) The city shall review each conservation plan and shall not commence serving water to the new nonresidential customer unless the plan demonstrates to the satisfaction of the city that the new customer will use the latest commercially available conservation technology for both interior and exterior water use consistent with reasonable economic return.

(c) If a new nonresidential customer, other than a user supplied water incidental to construction work, which did not have an estimated annual water demand of ten (10) acre-feet or more at the time the city commenced service of water to the customer, and which did not submit a conservation plan at that time, registers a water use of ten (10) acre-feet or more of water supplied by the city after the first full calendar year of operation or in a subsequent calendar year, the city shall notify the customer in writing that the customer shall, before July 1 of the following calendar year, submit to the city a water conservation plan meeting the specifications set forth in subparagraph (a) above for review and approval by the city.

(d) The city shall terminate water service to the new nonresidential customer unless the customer submits, within one hundred twenty (120) days after receiving the written notification in subparagraph (c) above, a water conservation plan demonstrating the use of the latest commercially available conservation technologies for both interior and exterior water use consistent with reasonable economic return.

(e) The city may grant 30-day extensions to the 120-day period if the new nonresidential customer pays to the city for each extension an amount equal to one-sixth ( 1/6) of the total amount paid to the city for water delivered to the customer in the previous calendar year, or three hundred dollars (\$300.00), whichever is greater. The city shall not grant more than three (3) such extensions to a new nonresidential customer.

(Ord. No. 2318, § 2, 12-17-90; Ord. No. 3178, § 6, 10-5-98; Ord. No. 3409, 11-26-01)